United Nations A/AC.261/IPM/20

General Assembly

Distr.: General
5 December 2001
English
Original: Spanish

**Informal Preparatory Meeting of the Ad Hoc Committee for the Negotiation of a Convention against Corruption**
Buenos Aires, 4-7 December 2001

# Proposals and contributions received from Governments

## Argentina: proposed chapter on preventive measures

*Article* [...]
*Code of conduct*

1. States Parties undertake to adopt codes of conduct for the correct, honourable and proper behaviour of public officials.

2. Such codes shall include rules:

(a) Requiring the reporting to the appropriate authorities of acts of corruption in the discharge of public functions by persons having a knowledge thereof in the performance of their duties;

(b) Preventing the improper use of public monies, property, services or information that is acquired in the performance or as a result of their official duties for activities not related to their official work;

(c) Prohibiting them from soliciting or receiving, directly or indirectly, for themselves or for their close relatives any gifts or other favours or benefits that may influence the impartial exercise of their functions.

*Sources:* International Code of Conduct for Public Officials (General Assembly resolution 51/59, annex).
Inter-American Convention against Corruption (see E/1996/99), art. III.
Model Code of Conduct for Public Officials (see *Official Gazette of the Council of Europe: Committee of Ministers part-volume*, No. V—May 2000, recommendation No. R (2000) 10).

*Article* [...]
*Conflict of interest*

1. Each State Party shall adopt rules on conflict of interest in order to prevent public officials from taking decisions that may give rise for themselves or

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for their close relatives to a benefit of any kind arising from a conflict between their public office and their private interests.

2. The rules on conflict of interest shall include:

(a) Measures laying down courses of action to reduce or eliminate situations where the impartiality of public officials may be affected. Such measures may include a requirement to refrain from acting in certain situations, the establishment of blind trusts and the implementation of mechanisms to guarantee transparency in decision-making processes;

(b) The obligation that public officials regularly make public declarations of their business, commercial or financial interests and their employment activities and record;

(c) Measures to prevent public officials from finding themselves in conflict of interest situations after they have ceased to hold public office.

*Sources*: International Code of Conduct for Public Officials.
Model Code of Conduct for Public Officials.

*Article* [...]
*Sworn declarations of assets*

1. States Parties undertake to adopt rules that provide for systems for the regular declaration of assets and liabilities of public officials and of their spouses and dependants.

2. The rules shall include a procedure for making public such declarations that ensures that the right to privacy and safety of public officials and their families is not unreasonably impaired.

*Sources*: International Code of Conduct for Public Officials.
Inter-American Convention against Corruption, art. III.
Model Code of Conduct for Public Officials.

*Article* [...]
*Public procurement*

Each State Party shall adopt such legislative, administrative or other measures as may be necessary to establish a public procurement system based on rules of transparency. Such measures may include:

(a) Mechanisms to enable the correct identification of the needs to be met through public procurement;

(b) Systems for the distribution of and access to information relating to tenders in progress and awarded contracts;

(c) Public procurement systems based on the use of objective criteria for the selection of contractors and the awarding of contracts;

(d) Systems that make it possible to detect and prevent the inclusion in bidding conditions of clauses that unlawfully restrict competition or equality among bidders;

(e) Mechanisms that make possible the broad participation of interested parties in the stages of drawing up bidding conditions with the aim of improving efficiency in public procurement administration;

(f) Mechanisms that enable public procurement administration to be monitored by civil society;

(g) Adoption of effective remedies and sanctions that make transparency in public procurement administration consistent with the required degree of efficiency in the management of public affairs.

*Sources*: United Nations Convention against Transnational Organized Crime (General Assembly resolution 55/25, annex I), art. 31, para. 2 (c).
Inter-American Convention against Corruption, art. III, para. 5.
The Twenty Guiding Principles for the Fight against Corruption (see Council of Europe, *Texts adopted by the Committee of Ministers of the Council of Europe, 1997*, Strasbourg, France, 1998, resolution (97) 24), para. 14.

*Article* [...]
*Transparency in processes for the adoption of acts of government*

Each State Party shall adopt such legislative, administrative or other measures as may be necessary to improve public scrutiny of acts of government through means such as:

(a) The implementation of public discussion and consultation mechanisms that allow for the participation of non-governmental organizations, sectoral entities and the general public in government decision-making processes;

(b) The promotion of public information activities that contribute to improving the public's awareness of the forms that corruption takes, the costs for society to which it gives rise and the mechanisms for preventing corrupt practices.

*Sources*: United Nations Convention against Transnational Organized Crime, art. 31, para. 5.
The Twenty Guiding Principles for the Fight against Corruption, para. 9.

*Article* [...]
*Special bodies for the prevention of corruption*

States Parties shall consider the establishment, within their respective legal systems, of special multidisciplinary bodies for the prevention of corruption. Such bodies shall undertake diagnostic surveys and studies, make proposals and implement systems of transparency in public administration.

*Article* [...]
*Access to information*

States Parties that have not yet done so shall adopt such legislative or other measures as may be necessary to promote broad public access to information in the possession of the State, subject to any exceptions and limitations laid down by the respective institutional systems.